

1 UNITED STATES DISTRICT COURT

2
3 DISTRICT OF NEVADA4
5 Peggy Lenoir,

6 Plaintiff(s),

7 vs.

8 Albertsons, LLC.,

9 Defendant(s).

2:23-cv-01066-RFB-MDC

ORDER

10 Presently before the Court is plaintiff Peggy Lenoir's failure to comply with the Court's Order
11 (ECF No. 21) which directed the plaintiff to either file a notice of new counsel or an intent to proceed
12 *pro se* by August 1, 2024. Since the deadline to file notice with the Court has passed, and with nothing
13 to indicate the contrary, the Court finds that plaintiff is proceeding *pro se*. Plaintiff is cautioned that *pro*
14 *se* status does not excuse a party's non-compliance with a Court imposed deadline or rules of procedure.
15 *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987), *overruled on other grounds by Lacey v. Maricopa*
16 *Cnty.*, 693 F.3d 896 (9th Cir. 2012) ("Pro se litigants must follow the same rules of procedure that
17 govern other litigants").

18 The Court reminds the parties the current discovery deadlines are as follows:

- 19 a. Initial expert disclosures: October 7, 2024
20 b. Rebuttal expert disclosures: November 6, 2024
21 c. Close of Discovery: December 9, 2024
22 d. Per LR 26-1(b)(4), dispositive motions are due January 8, 2025, 30 days after the close of
23 discovery.
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25

1 e. Per LR 26-1(b)(5), the deadline for the joint pretrial order is 30 days after the dispositive-
2 motion deadline. If dispositive motions are filed, the deadline for filing the joint pretrial order will be
3 suspended until 30 days after decision on the dispositive motions or further court order.

4
5 ACCORDINGLY,

6 **IT IS ORDERED that:**

- 7 1. Plaintiff be found to be proceeding *pro se* in this case.
8 2. The Clerk of Court is kindly directed to send plaintiff a copy of this Order to her last known
9 address:

10 Peggy Lenoir
11 301 Taylor Street, #321
Henderson, NV 89015

- 12 3. Plaintiff must comply with LR IA 3-1 and immediately file with the court a written
13 notification of any change of mailing address, email address, telephone number, or facsimile number.

14
15 DATED this 15th day of August 2024.

16 IT IS SO ORDERED.

17 
18 Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

19
20 **NOTICE**

21 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and
22 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk
23 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal
24 may determine that an appeal has been waived due to the failure to file objections within the specified
25 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

1 This circuit has also held that (1) failure to file objections within the specified time and (2)
2 failure to properly address and brief the objectionable issues waives the right to appeal the District
3 Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d
4 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).
5 Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any
6 change of address. The notification must include proof of service upon each opposing party's attorney,
7 or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may
8 result in dismissal of the action.